
7B

Information

Credentialing and Certificated Assignments Committee

Update on Stakeholders Meeting to Replace Emergency Permits

Executive Summary: This agenda item reviews the proposals that have been developed to replace emergency permits following the two stakeholders meetings on January 21, 2004 and March 16, 2004.

Recommended Action: None – Information Item

Presenter: Dale Janssen, Director, Certification, Assignment and Waivers Division

Update on Stakeholders Meeting to Replace Emergency Permits

Introduction

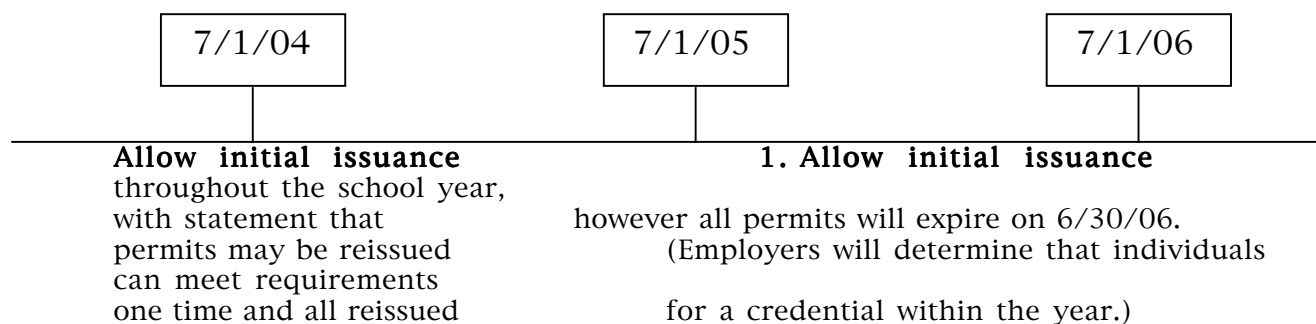
At the December 2003 Commission meeting staff was directed to meet with stakeholders to develop proposals for documents to replace the current emergency permit. The Commission set June 30, 2006 as the date that all emergency permits will expire. This agenda item reviews the proposals that have been developed following the two stakeholders meetings on January 21, 2004 and March 16, 2004.

Background

Teachers serving on emergency permits are not considered compliant with the No Child Left Behind (NCLB) law. As of the first day of school for the 2002-03 school year NCLB required all elementary and secondary teachers (in the core areas of English, reading, language arts, mathematics, science, foreign languages, civics and government, economics, arts, history and geography) being placed in classrooms receiving Title I funding to be “highly qualified.” By the end of the 2005-06 school year, teachers in all schools serving on emergency permits will not be in compliance with the requirements of NCLB.

Commission Action and Staff Direction

The Commission discussed the issuance of emergency permits at its August, October, November and December Commission meetings. At its December meeting the Commission took action to discontinue the issuance of emergency permits based on the following timeline:



permits will expire 6/30/06.

2. Allow initial issuance of an alternative provisional document as developed by the Commission with input from stakeholders

Continue renewal issuance the school year, with statement that the permits may be issued one more time and all reissued permits will expire by 6/30/06.

Continue renewal issuance throughout

however all permits will expire on 6/30/06.

The NCLB deadline for full compliance with the requirement of having a highly qualified teacher in every core academic classroom is the end of the 2005-2006 school year. Credential waivers have also been discussed at previous Commission meetings. However, at the December Commission meeting, the Commission took action to only discontinue emergency permits. The Commission may at a later date wish to discuss the waiver criteria.

Several organizations testified at both the November Study Session and the December Commission meeting that there would be a continuing need for a document that addressed unanticipated staffing needs. All organizations supported the July 1, 2006 date as long as there was some flexibility to staff classrooms at the local level. This agenda item reviews the options that have been developed by the stakeholders and Commission staff.

Stakeholder Meetings

The staff met with stakeholders on January 21st and March 16th to discuss possible documents to replace the emergency permit. Those attending one or both of the meetings included: Nina Moore (UC Office of the President); Betsy Kean (CSU Office of the Chancellor); Karen Steentofte (State Board of Education); Sharon Robison and Nancy Braughton (Association of California School Administrators); Lori Easterling (California Teachers Association); Linda Mook (California Federation of Teachers); Stephanie Farland (California School Boards Association); Denise Roscoe and Bonnie Crawford (Credential Counselors and Analysts of California); Gary Borden (Charter Schools); Carolina Pavia and Phyllis Bradford (Los Angeles Unified School District); Lois Bradford (United Teachers of Los Angeles); Bruce Kitchen (Personnel Administrators from San Bernardino and San Diego Counties); Marilee Johnson (Glenn County Office of Education and PASSCo); Andrea Ball (Long Beach Unified School District); Kathryn Benson (Pajaro Valley Unified School District and Tri County Personnel Directors); and Barbara Taylor and Mike Wilkening (Department of Finance).

The Commission asked staff to answer the question “What is an emergency?” An emergency, according to the general consensus of the group, occurs when the employing agency is unable to find a credentialed teacher for a classroom. However, as the discussions continued the group determined that there were two distinct types of staffing needs.

- The first occurrence, an acute staffing need, is when an employer needs to fill a classroom immediately based on an unforeseen need, for example when the teacher of record is unable to finish the school year due to an illness. Another example is when there is an enrollment adjustment and a teacher is needed immediately to staff a classroom that was not anticipated at the beginning of the year or semester.

- The second type of occurrence, an anticipated staffing need, is when a district is aware that an opening is going to occur, conducts a diligent search for a credentialed teacher, but is unable to recruit one. This often occurs in the statewide shortage areas of special education, mathematics and sciences, however it can occur in almost any subject depending upon the site and district.

With the understanding that there are two distinct sets of staffing needs, members of the group suggested that the new document be bifurcated to offer one that would meet immediate teacher replacement needs and one for staffing classrooms when, after a diligent search, no appropriately credentialed teacher can be found. Consequently the first proposed document is for temporary assignments and the second is for longer-term assignments with a duration similar to that of the current emergency permit. During the meeting participants used a worksheet to develop these proposals. The proposals will be displayed based on that template.

Proposed Documents

| | |
|-------------------------------|---|
| Name | Interim Staff Permit or Short-Term Staff Permit |
| Purpose | When the need for staffing a classroom is immediate. |
| Candidate Requirements | BA CBEST Subject Matter Multiple Subjects – 40 units Single Subject – 18 units Special Education – Either subject matter requirement |
| LEA Requirements | Local recruitment effort Provide orientation and ongoing support Written justification signed by Superintendent or designee |
| Validity of Document | Not to exceed one year – Non renewable or renewable if in a different assignment |
| Restriction | Employer |

This document would be used when a district needs to staff a classroom immediately. Some of the possible reasons discussed at the meeting include illness, approved leave, enrollment adjustments and to serve as a bridge document for those who have completed subject matter competency but have been unable to enroll in a teacher preparation program. The group discussed two options regarding the validity of the document:

- An individual can be employed only once in his or her lifetime on this permit; or
- The document can be renewed, but the assignment would need to be different.

If the first concept were to be adopted the individual would have to qualify for one of the documents outlined next if a district wished to reemploy the individual.

The second permit would be for occurrences when the district knows that there will be an opening, conducts a diligent search yet is unable to recruit a suitable candidate. The expectations of the district and the employee are much higher since this individual will be the teacher of record

and should be on a credential track. With that in mind, the group developed a document that is modeled after the highly successful pre-intern program. The focus of the document would be on meeting subject matter competency. Once a candidate completes subject matter competency, he or she can be employed on an NCLB compliant document such as an Individualized Internship Certificate or a University or District Internship credential.

The stakeholder group discussed two possibilities for this document. The shaded areas point out the differences between the two proposals.

| Name | Resident Teacher Permit | Provisional Internship Permit |
|-------------------------------|---|---|
| Purpose | Issued at the request of a school district when a credentialed teacher cannot be found after a diligent search. | Issued at the request of a school district when a credentialed teacher cannot be found after a diligent search. |
| Candidate Requirements | <ul style="list-style-type: none"> • BA • CBEST • Subject Matter <ul style="list-style-type: none"> Multiple Subjects – 40 units Single Subject – 18 units Special Education – Either subject matter requirement plus 9 units in special education or 3 years experience with special education students | <ul style="list-style-type: none"> • BA • CBEST • Subject Matter <ul style="list-style-type: none"> MS – 60 units SS – Major SE – Either subject matter requirement plus 9 units in special education or 3 years experience with special education students |
| LEA Requirements | <ul style="list-style-type: none"> • Annual Resolution of the governing board that a reasonable effort to recruit has been made • Provide supervision and administrative support • Paired with an experienced teacher • Provide assistance to obtain subject matter competency during the first year of employment • A signed agreement between the teacher and LEA outlining steps to complete subject matter and enroll in an internship | <ul style="list-style-type: none"> • Provide specified information regarding diligent search • Notify parents after 4 weeks that teacher is not a fully prepared teacher (Current NCLB requirement would meet this requirement) • Provide orientation • Paired with an experienced teacher • Provide assistance to obtain subject matter competency during the first year of employment • A signed agreement between the teacher and LEA outlining steps to complete subject matter and enroll in an internship |
| Validity of Document | Not to exceed two years, issued in one-year increments based on taking a subject matter examination | Not to exceed two years, issued in one-year increments based on taking a subject matter examination |
| Restriction | Employer | Employer |

The documents mentioned above are conceptual. Stakeholder Bruce Kitchen proposed the Resident Teacher Permit and the Commission staff proposed the Provisional Internship Permit. Both proposals have very similar requirements. The major difference between the two proposals is in the academic requirements for the candidate. Mr. Kitchen based his proposal on the current academic requirements for the emergency permit, but requires the candidate to pass the subject matter exam within two years rather than the current five years. He modeled his proposal on the CalStateTeach program. Staff recommended the higher academic requirements based on examination data that shows those with a higher number of units in the subject of the exam have a higher passage rate. Consequently, those individuals with 60 units in a breadth of subjects and those holding a major in the subject they teach should have a higher passing rate on the exams. Because there are only two years to pass the examination, the higher academic standard at the beginning should assure a higher rate of success within the two years.

Another difference between the two proposals pertains to public notice. The Resident Permit utilizes the current process in Education Code Section 44225.7 that requires an annual resolution by the governing board that a reasonable effort has been made to recruit fully prepared teachers. The Provisional Permit adopts the NCLB public notice requirement of notifying the parents that a teacher who has been in the classroom for four or more consecutive weeks and is serving on the Provisional Permit is not fully credentialed. The Provisional Permit requires verification of recruitment for each position rather than the more general annual basis. This suggestion is in response to credentialed teachers who indicate that districts do not conduct a diligent search for each position.

Conclusion

As the process to develop these documents moves forward there will be an opportunity for both the Commission and the stakeholders to flesh out the specifics. For example, there may be a need to define orientation and ongoing support and specific wording for the agreement between the employer and candidate.

In the initial discussions regarding the phase out of emergency permits, the special education emergency permit was excluded. In both of these scenarios special education has been included because it would be difficult to continue to offer one structure for the multiple and single subject authorizations and another for special education. Both of the proposals above have kept the candidate requirements for special education coursework or experience the same as under the current emergency permit structure.

The focus in both proposals is on subject matter, thus allowing the candidate to continue through the education continuum.

Proposed Implementation Timeline

This agenda item is to update the Commission on the outcome of the stakeholders meeting pertaining to developing options to replace the emergency permit. The staff envisions the following implementation timetable in developing a new document(s).

June Meeting

Present conceptual options of documents for the Commission to consider and the stakeholders and public to provide input. The Commission may direct staff to develop Title 5 language to implement one or more of the concepts.

August Meeting

Staff will present proposed Title 5, California Code of Regulations language based on the adopted concept for information.

September/October Meeting

Staff will present updated proposed Title 5 regulations based on the August comments and recommend that the Commission call for a public hearing after the 45 day public comment period.

December Meeting

Public hearing regarding the proposed Title 5 regulations to replace the emergency permits.